



NOTICE OF EMERGENCY REMOVAL and

POTENTIAL SUSPENSION UNDER MGL c. 71, §37H ¾

DATE:

TO:

Re:

Dear Parent/Guardian:

Consistent with Massachusetts Student Discipline regulations, 603 CMR 53.07 and M.G.L. c. 71, § 37H¾, I have decided to impose an **emergency temporary removal** of the student from school for **two (2) school days** as I have concluded that the continued presence of the student at school poses a danger to persons and property, or materially and substantially disrupts the order of the school. In my judgment, there is no alternative to temporary emergency removal which alleviates this danger or disruption. During this temporary removal, the student may not be on school property or attend school events or activities.

I am considering an additional out-of-school suspension as a possible consequence for this behavior. A copy of the Student Handbook is available at the school district website at <https://www.sics.org/students-families/handbook> and is also available at the Principal's Office.

The factual basis for the alleged violation is: On _____ the student was involved in the following conduct:

_____,
which is a violation of _____.

Please be advised that the investigation into this matter is ongoing and the school reserves the right to amend this notice and to adjust the charges as appropriate.

I invite you, as parents/legal guardians, and the student to a hearing on _____ at _____ at, which will be your and the student's opportunity to provide his/her side of the story and to dispute the allegations. If you or the student needs an interpreter or chooses to have an attorney attend the hearing, please let us know at least 48 hours before the hearing so that we can arrange for an interpreter and/or the presence of District counsel.



This hearing is proceeding because the school has tried one or more of the following alternative remedies following and in direct response to a specific incident or incidents:

CHECK AS APPROPRIATE:

- ☐ mediation
- ☐ conflict resolution
- ☐ restorative justice;
- ☐ collaborative problem solving
- ☐ other _____

The results of these alternative remedies were: _____ (describe results of the alternative remedies) _____.

OR, CHECK IF APPLICABLE

☐ alternative remedies are unsuitable or counter-productive, or the student's continued presence in school is likely to pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school.

At this hearing, I will hear and consider the disciplinary offense and any information about the incident and the factual basis for the charges. You and the student may dispute the charges, present information, and may discuss with me the student's conduct and any mitigating circumstances that I should consider in determining consequences for the student. I will also consider ways to reengage the Student in the learning process.

The range of consequences under the Code of Conduct and school policies for this offense may include in or out of school suspension/exclusion and/or loss of extracurricular privileges (including sports)

By checking a box below, I have indicated the potential consequences for the offense on which we are proceeding to hearing.

CHECK AS APPROPRIATE:

☐ B. In-School Suspension: This is a removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or nor more than ten (10) school days cumulatively for multiple infractions during the school year. In-school suspension is

also available as an alternative to short-term suspension for disciplinary offenses. There is no appeal to the Superintendent for an in-school suspension.

[] C. Short Term Suspension: This is a removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. I may, in my discretion, allow the student to serve a short-term suspension in school.

There is no appeal to the Superintendent for a short-term suspension.

[] D. Long-Term Suspension: This is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

If the offense may result in the student's suspension for more than ten (10) consecutive days or cumulatively in a year, the parent/guardian and student have the following rights:

1. the right to review the student's record and the documents upon which I may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the your choice, at your expense;
3. the right to produce witnesses on your behalf and present your explanation of the alleged incident, but you may not be compelled to do so;
4. the right to cross-examine witnesses presented by the school district;
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request.
6. The right to appeal the principal's decision to the Superintendent.

After hearing the evidence, I will determine whether the student committed the disciplinary offense and what consequence will be imposed. I will issue a decision to you in writing. During any suspension, the student is entitled to maintain his/her academic standing by continuing to complete his/her assignments and make academic progress.

Please contact my office at _____ to confirm this hearing date and time.



[☐] If this box is checked, your child is a student who receives educational services pursuant to an IEP or 504 Plan and the Special Education Department will contact you to arrange for a manifestation determination meeting if appropriate.

Sincerely,

School Principal